

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ALEXANDER ROSENBLATT,	§	
#55609-177,	§	
Movant,	§	
	§	No. 3:21-cv-01561-M (BT)
v.	§	No. 3:17-cr-00202-M-1
	§	
UNITED STATES OF AMERICA,	§	
Respondent.	§	

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

On December 27, 2022, the Court entered an order accepting the Magistrate Judge's Findings, Conclusions and Recommendation (FCR) and entered judgment. (Docs. 14, 15.) Movant then filed a motion seeking additional time to file objections. (Doc. 16.) On January 4, 2023, the Court granted the motion, vacated its order of acceptance and the judgment, and directed Movant to file any objections by March 7. (Doc. 17.) Then, Movant filed another motion seeking additional time within which to file objections to the FCR. (Doc. 18.) On March 9, the Court granted Movant's motion, and the deadline for him to file his objections was extended to May 10. (Doc. 19.) Finally, Movant filed a third motion seeking additional time within which to file objections to the FCR. (Doc. 20.) The Court granted Movant's motion and directed him to file objections by July 17. (Doc. 21.) The Court also advised Movant that "absent compelling circumstances, no additional extensions of time will be granted." *Id.* at 1. The July 17 deadline has now passed, and Movant did not file any objections.

The Court has taken under consideration United States Magistrate Judge Rebecca Rutherford's November 28, 2022 FCR. The Court has reviewed the FCR for plain error and has

found none. **IT IS, THEREFORE, ORDERED** that the FCR of the United States Magistrate Judge is accepted.

Considering the record in this case, the Court **DENIES** a certificate of appealability. The Court adopts and incorporates by reference the Magistrate Judge's FCR filed in this case in support of its finding Movant has failed to show: (1) reasonable jurists would find this Court's "assessment of the constitutional claims debatable or wrong," or (2) reasonable jurists would find "it debatable whether the [motion] states a valid claim of the denial of a constitutional right" and "debatable whether [this Court] was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

SO ORDERED this 25th day of July, 2023.


BARBARA M. G. LYNN
SENIOR UNITED STATES DISTRICT JUDGE